

Butler County's Volunteer Guardianship Program

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This is the eleventh article from the Supreme Court of Ohio Advisory Committee on Mentally Ill in the Courts about effectively dealing with mentally ill offenders in the criminal justice system. This article highlights the Butler County Volunteer Guardianship Program, a program that has made a difference in the lives of many of the people our Advisory Committee is trying to reach.

There are some answers that cannot be found in law books and there are some problems that cannot be solved in courtrooms. As a law student I never learned the importance of working with social service organizations, and during my years as a trial lawyer I never found it necessary to be involved with these groups. When I became a judge in 1995 my education started all over again, and I began to appreciate the value of these organizations to an effective court system.

The development of Butler County's Volunteer Guardianship Program began in 1994 with the formation of an ad hoc committee chaired by a magistrate from the Probate Court. The motivation for creating this committee was the increasing frequency of requests coming to the Probate Court for the appointment of guardians for persons who were indigent, without family support, and considered incapable of giving consent for major life decisions. Representatives from hospitals, aging and social service agencies, and the legal community participated in the early discussions.

By the end of 1995 the Committee adopted a mission statement calling for the needed program to provide mature, caring, qualified guardians for individuals whose mental impairments so incapacitate them that they are unable to care for themselves or make sound personal decisions, and to enhance the quality of their lives. Specifications for a volunteer guardianship program were agreed upon and bids were solicited. A local agency with a long history of providing services to the area's needy submitted a bid which was accepted by a collaborative formed by the local mental health and mental retardation boards and the Probate Court.

The Butler County Volunteer Guardianship Program began its operation in 1996 and since that time has been administered by Lifespan, a nonprofit social service organization that administers other programs that meet the needs of the elderly and the mentally disabled. During its first seven years, the Guardianship Program received 490 referrals from hospitals, nursing homes, mental health and mental retardation agencies, attorneys, and others. At the end of 2002, the Program was providing guardianship services to 135 very needy persons. Sixty percent of those persons have been diagnosed with some form of mental illness.

The Program's 1996 budget of \$51,000 was funded by grants from the general operating budgets of the mental health and mental retardation boards and from the

indigent guardianship fees collected by the Probate Court. Since then, additional funding sources have been secured by the ongoing fund-raising efforts of Lifespan. In 2002 the Program's annual budget was \$217,900, with contributions coming from private donors, private foundations, hospitals, nursing homes and adult protective service agencies, supplementing the contributions from the mental health and mental retardation boards and the Probate Court.

Guardianship services are provided by volunteers trained by Lifespan and by staff members employed by Lifespan. As in any other guardianship the Probate Court appoints the guardians. Court personnel meet as needed with the Program administrator to establish protocols. The Program has met what was a desperate need. At the end of 2002 there were 22 active volunteer guardians and two staff guardians. The volunteer guardians were handling 30 guardianships and the staff guardians were handling the other 105. The Program has also employed a Volunteer Coordinator whose assigned duties include the recruitment of additional volunteers.

One of the volunteers who provided early training to other volunteers, and who has been active in the Program from its inception, formerly served as a full-time associate professor of nursing at Miami University. She has described her work as the guardian for Tommy, a 60-year-old man with Down Syndrome, as "an opportunity to be a friend to somebody I may not have ever known otherwise."

Another volunteer, a young mother of two whose spouse was tragically killed in an industrial accident, and who works as a nurse at an area nursing home, gives of her time to serve as the guardian of an elderly woman named Ruby who lives at a different nursing home. She says of Ruby that although "it may seem as though there is a big time investment in being a Guardian, in reality, I spend only five to seven hours monthly in visits, phone calls, and paperwork. This time investment is well worth the satisfaction I gain from being available to someone who truly needs me and appreciates what I do for her. Ruby has become part of my family and she makes my day when I get a phone call and her voice is on the line saying 'Honey, I need you!'"

Judges do not have all the answers and courts cannot solve everyone's problems, but by working with other types of organizations, judges can find more answers, and courts can solve more problems.

For more information on Butler County's Volunteer Guardianship Program, please contact Judge Randy T. Rogers, Butler County Probate Court at (513) 887-3303.

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